

**Arizona Department of Health Services
Division of Behavioral Health Services
PROVIDER MANUAL**

Section 7.4 **Reporting of Incidents, Accidents and Deaths**

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7.4.1 Introduction

Significant events, such as accidents, injuries, allegations of abuse, human rights violations and deaths, require careful examination and review to ensure the protection of behavioral health recipients. ADHS/DBHS requires, as well as other Federal and State agencies, the prompt reporting of significant events involving persons receiving services within the public behavioral health system. The reporting of significant events to ADHS/DBHS, such as incidents, accidents and deaths, serves the following purposes:

- The collection of relevant information facilitates a comprehensive review and investigation when indicated;
- Ensuring compliance with notification requirements to the Centers for Medicare and Medicaid Services (CMS), the Arizona Health Care Cost Containment System (AHCCCS), the Office of Human Rights, the appropriate Human Rights Committee, the Arizona Center for Disability Law and the ADHS/Office of Behavioral Health Licensure, as applicable; and
- The trending and analysis of significant events can identify opportunities for behavioral health system improvements.

The intent of this section is to identify reporting requirements for behavioral health providers following an incident, accident or death involving a behavioral health recipient. Behavioral health providers must be aware of:

- What constitutes an event that requires reporting to:
 - CMS;
 - AHCCCS;
 - ADHS/DBHS;
 - The Office of Human Rights;
 - The corresponding Human Rights Committee;
 - The Arizona Center for Disability Law; or
 - ADHS/Office of Behavioral Health Licensure;
- What information must be reported, including any applicable forms and/or reports; and
- Where the requisite information must be sent within the agencies identified above.

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7.4.2 References

The following citations can serve as additional resources for this content area:

- [42 CFR 483.352](#)
- [42 CFR 483.374](#)
- [42 CFR 51.2](#)
- [A.R.S. § 46-454](#)
- [A.R.S. §41-3804](#)
- [R9-20-202](#)
- [R9-21-203](#)
- [AHCCCS/ADHS Contract](#)
- [ADHS/T/RBHA Contract](#)
- [Disclosure of Behavioral Health Information Section](#)
- [Behavioral Health Medical Record Standards Section](#)

7.4.3 Scope

To whom does this apply?

All persons receiving behavioral health services.

7.4.4 Did you know...?

- All deaths of persons with a serious mental illness involving suicide, homicide, drug overdose, exposure, accident or unexpected or unusual medical cause are reviewed through the ADHS/DBHS Mortality and Morbidity Committee.
- Upon recognition of abuse, neglect or exploitation of an incapacitated person determined to have a serious mental illness, behavioral health providers must immediately report the allegation to the appropriate authorities (i.e., police or protective services worker). The oral report must be followed up by a written report within 48 hours.
- Each State has a designated protection and advocacy system. In Arizona, the Arizona Center for Disability Law serves as the designated protection and advocacy agency.

7.4.5 Objectives

To identify reporting requirements for behavioral health providers following:

- An incident, accident or death of any behavioral health recipient; and
- An allegation of mistreatment of any behavioral health recipient determined to be seriously mentally ill.

7.4.6 Definitions

[Incapacity](#)

[Incident or Accident](#)

[Level I Facility](#)

[Mistreatment](#)

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Serious Occurrence

Serious Injury

7.4.7 Procedures

7.4.7-A. Reporting incidents and accidents to the T/RBHA

Behavioral health providers must report any incident or accident as defined by this section (including a behavioral health recipient's death) to the T/RBHA within 48 hours. [PM Form 7.4.1](#), Incident/Accident/Deaths Report Form must be used for reporting incidents and accidents. **[T/RBHA insert contact information and specific instructions here]**

7.4.7-B. Reporting to the Office of Behavioral Health Licensure

Behavioral health providers licensed by the ADHS Office of Behavioral Health Licensure (OBHL) must provide notification to OBHL regarding the following events:

- A behavioral health recipient's death;
- A medication error or an adverse reaction to a medication that requires medical services or immediate intervention by an emergency response team or a medical practitioner;
- A suicide attempt or self-inflicted injury that requires medical services or immediate intervention by an emergency response team or a medical practitioner;
- Suspected or alleged abuse, neglect or exploitation of the person or a violation of the person's rights;
- A physical injury requiring medical services that occurred on the premises or during a licensee-sponsored activity off the premises;
- Food poisoning, requiring medical services, that may be caused from food provided at the agency or during a licensee-sponsored activity off the premises;
- An unauthorized absence of a behavioral health recipient from a residential agency, an inpatient treatment program, a Level 4 transitional agency providing services to persons under the age of 18, or an adult therapeutic foster home; or
- A physical injury that occurred as the result of a personal or mechanical restraint.

Behavioral health providers must orally report the above referenced events to the OBHL within one working day of knowledge of the event (contact OBHL at 602-364-2536). This must be followed up with a written incident report within 5 days.

[T/RBHA insert contact information and specific instructions here]

7.4.7-C. Reporting allegations of mistreatment towards persons determined to have a serious mental illness

Allegations of mistreatment concerning persons determined to have a serious mental illness must be reported within 48 hours to:

- The Office of Human Rights (602) 364-4574 or 1-800-421-2124; and
- The T/RBHA **[T/RBHA insert contact information and specific instructions here]**

[PM Form 7.4.1 Incident/Accident/Deaths Report Form](#) must be used to report occurrences of mistreatment to the T/RBHA.

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The provision of protected health information to the Office of Human Rights must be disclosed in accordance with applicable law and [Section 4.1, Disclosure of Behavioral Health Information](#).

7.4.7-D. Reporting deaths and serious occurrences in OBHL Level I Facilities

This subsection is applicable to Title XIX certified/OBHL Level I licensed behavioral health facilities that provide inpatient psychiatric services to persons under the age of 21.

Who do Level I facilities report to?

Title XIX certified/OBHL Level I licensed behavioral health facilities that provide inpatient psychiatric services to persons under the age of 21 are required to report any serious occurrences (see definition) involving a behavioral health recipient to:

- The Arizona Health Care Cost Containment System (AHCCCS); and
- The Arizona Center for Disability Law.

Reporting deaths of behavioral health recipients

Title XIX certified/OBHL Level I licensed behavioral health facilities that provide inpatient psychiatric services to persons under the age of 21 are also required to report a death of a behavioral health recipient to:

- AHCCCS;
- The Arizona Center for Disability Law; and
- The Center for Medicare and Medicaid Services (CMS), Regional Office.

What are the timeframes?

Any serious occurrence or death involving a behavioral health recipient in a Level I facility must be reported to AHCCCS and the Arizona Center for Disability Law no later than close of business the next business day following the serious occurrence or death.

Where must the report be sent?

For serious occurrence and death reporting, send information to:

- AHCCCS
FAX Number (602) 256-4855-Attention DHCM Behavioral Health Clinical Coordinator
- The Arizona Center for Disability Law
FAX Number (602) 274-6779-Attention Tami Johnson
- CMS Regional Office (to report a death only)
FAX Number (415) 744-2692-Attention Mary Frances Colvin

Other considerations

Specific documentation requirements apply. Please see [Section 4.2, Behavioral Health Medical Record Standards](#).

In the case of a minor, the Level I facility must also notify the person's parent(s) or legal guardian(s) as soon as possible, but no later than 24 hours from the serious occurrence.

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Note that these reporting requirements pertain only to serious occurrences, suicide attempts and deaths. Reports of non-serious occurrences and other events must not be made to AHCCCS, the Arizona Center for Disability Law or CMS.

(T/RBHA insert specific instructions here)